

INDIANA **court**times

of CHANGE VENUE

Court Offices Move to New Location **2**

NEW COLUMN ON EMPLOYMENT LAW:
What Your Employees Don't
Know Can Hurt You **5**

ALSO INSIDE:

Supreme Court launches electronic Citation and Warning System **8**

Input Sought on Indiana's Court Structure **10**

Indiana Supreme Court
Division of State Court Administration
115 W. Washington Street, Suite 1080
Indianapolis, IN 46204-3466

EDITORIAL BOARD

Lilia G. Judson, Publisher
Executive Director, State Court Administration

David J. Remondini, Managing Editor
Chief Deputy Executive Director, State Court Administration

James F. Maguire, Editor
Staff Attorney, State Court Administration

Lindsey Borschel, Publication Designer
Web Coordinator, State Court Admin./JTAC

Deborah Guthrie-Jones, Distribution Coordinator
Administrative Assistant, State Court Admin.

MISSION

Our goal is to foster communications, respond to concerns, and contribute to the spirit and pride that encompasses the work of all members of the judiciary around the state. We welcome your comments, suggestions and news. If you have an article, advertisements, announcement, or particular issue you would like to see in our publication, please contact us.

CONTRIBUTORS

Hon. Peggy L. Quint Lohorn
Montgomery Superior Court 2

Lilia G. Judson
Executive Director, State Court Administration

David J. Remondini
Chief Deputy Executive Director, State Court Administration

Mary L. DePrez
Director and Counsel for Trial Court Technology, State Court Administration/JTAC

James Walker
Director of Trial Court Management, State Court Administration

Brenda Rodeheffer
Employment Law Services, State Court Administration

Jim Maguire
Staff Attorney, State Court Administration

Adrienne Meiring
Staff Attorney, State Court Administration

Kristin Donnelly-Miller
Staff Attorney, State Court Administration

Loretta Oleksy
Staff Attorney, State Court Administration

Lindsey Borschel
Web Coordinator, State Court Admin./JTAC

Cindy Collier
Communications Consultant, JTAC

of CHANGE VENUE

Court Offices Move to New Location

A change of venue has been granted for the Division of State Court Administration and the Judicial Technology and Automation Committee, Board of Law Examiners, Disciplinary Commission, Judicial Center, and the Commission for Continuing Legal Education. More than 150 court employees and contractors in these five Supreme Court agencies will soon have a new home in the historic Kite Building at 30 South Meridian Street in downtown Indianapolis.

The move, scheduled for late December, will consolidate staff now working at two locations—the National City Center and One North Capitol—into one building.

Chief Justice Randall T. Shepard and Justice Theodore Boehm—with input from agency directors—led the Supreme Court's efforts to identify location options beginning in 2006. They were facing the impending end of the Court's lease on each property at the end of 2007. Ultimately, two options were on the table: rent additional space at the National City Center or move the offices to 30 South Meridian.

"We looked for a location that would accommodate the growing Court staff, would be convenient and secure, and would be available at a competitive price. 30 South Meridian met or exceeded all of our expectations," said Justice Boehm.

The 10-year lease on the new offices will not only result in substantial cost savings over the life of the contract, it will also provide staff and visitors with additional amenities, facilities, and even a little bit of history.

30 South Meridian is actually the historic L.S. Ayres building, well-known in Indiana for the large clock perched on the corner of the building's second floor at Washington and Meridian streets, one block south of Monument Circle. The building's architecture is attributed to Vonnegut, Bohn & Mueller, also known for designing other historic buildings in Indianapolis, including the Athenaeum and the William H. Block building. The firm was co-founded by Bernard Vonnegut, grandfather of famed Indianapolis-born author Kurt Vonnegut, Jr.



The 8-story north section of the building was constructed in 1904 and, in addition to displaying the store's "dry and fancy goods," housed the famous L.S. Ayres Tea Room. The 12-story south section was constructed in 1929 as an annex to the department store, allowing Ayres to expand to include men's clothing and additional home goods.

The original grandeur of the Tea Room is still intact on the building's eighth floor, which houses the conference center available to all tenants of the building. In addition to an ornate boardroom, the conference center includes a large auditorium and a video conferencing facility.

Another attractive feature of the building is its strict security policy. Security personnel are always present in the lobby of the building. Visitors to the building will need to check in with the security desk and may need to be escorted to Court offices by an employee.

Because the office will be a bit farther from the State House and Government Center, a shuttle will run on a continuous loop between the buildings throughout each weekday. All Supreme Court staff, including those housed in the State House, will have access to a free fitness facility on the building's third floor.

In addition to the eighth-floor conference center, Court agencies will have several meeting spaces outfitted with the necessary technology to accommodate increasingly modern court and committee needs. Most meeting spaces will include easily accessible Ethernet ports and wire-

less access for laptop Internet connections, as well as mounted projectors and electric screens.

"A great amount of work went into this process, including looking at multiple locations and considering several proposals, contract negotiations, designing and organizing the space, and even the placement of wiring and heating vents. We are very appreciative of all the research and pavement-pounding that went into this project," said Lilia G. Judson, Executive Director, Division of State Court Administration.

Justice Boehm led the Court's efforts to negotiate a fair contract for the new space. Linda Loepker, Executive Director of the Board of Law Examiners and former Employment Law Services Director for State Court Administration, assisted Boehm with negotiations and has spent nearly a year coordinating the complex logistics involved in the move.

Technical staff is already working on transferring phone and computer systems and logistics of the move have also been finalized, including when files, furniture, computers and other items will be moved to 30 South Meridian.

Email addresses and phone numbers will remain the same after the move. ■

**by Cindy Collier
and Lindsey Borschel**

NEW ADDRESS

**30 South Meridian Street
Indianapolis, IN 46204**

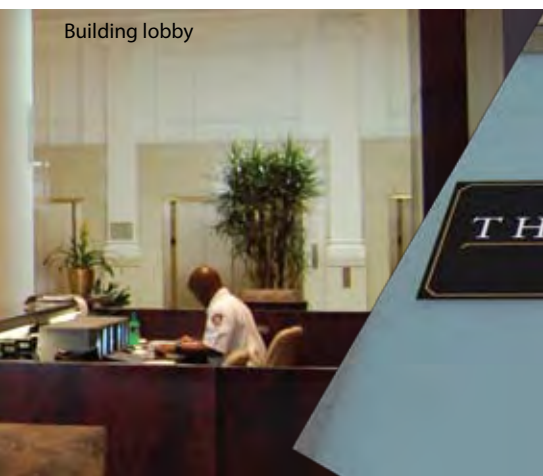
SUITE NUMBERS

Division of State Court Administration / JTAC	500
Disciplinary Commission	850
Board of Law Examiners	875
Indiana Judicial Center	900
Commission for CLE	950



Boardroom (top) & Auditorium in Conference Center

Building lobby



THIRTY & SOUTH

COMMISSION ON COURTS TO INDIANA GENERAL ASSEMBLY: Time to Change Judicial Circuits and Add Some Judges and Magistrates

Will the “Swiss” cheese stand alone? Last month, acting on a request from Switzerland County, the Commission on Courts took the first step toward dismantling a large part of the cross-county judicial structure in south-east Indiana. It recommended abolishing both the joint Jefferson-Switzerland Circuit Court and the joint Ohio-Switzerland Superior Court. The Commission will recommend the establishment of a new Circuit Court for Switzerland

magistrate position in that court, adding a second judge to the Miami Superior Court, and converting the two County Courts in Madison County to Superior Courts. They also recommended adding two new general magistrates for the St. Joseph Probate Court, in place of the two existing juvenile magistrate positions.

The commission also voted to recommend extending to magistrates statewide the power currently held by magistrates

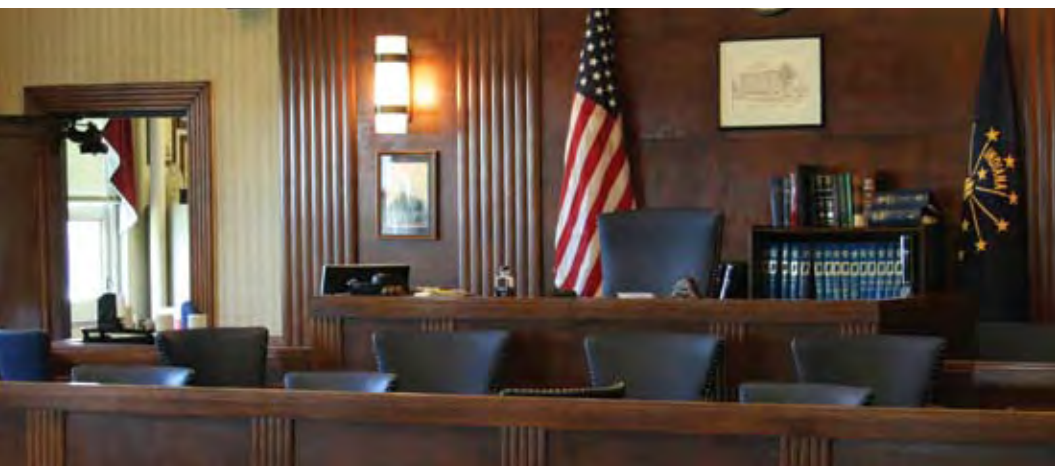
2004-2006, the vast majority of the mandated expenditures were for pauper and indigent defense expenses, psychological and medical examinations and payment to special prosecutors. Mrs. Judson also explained that the Supreme Court had recently decided two cases involving the use of mandated funds and staff salaries.⁴ Commission Chairperson Representative Phil Hoy of Evansville and Vice-Chairman Senator Richard Bray of Martinsville expressed the view that no action need be taken by the commission at this time.

At an earlier meeting, the commission recommended expanding the jurisdiction to hear hardship license cases under I.C. 9-24-15-4 from the circuit court to include a superior court in the petitioner’s county of residence. And, if the person has a pending OVWI charge or is on probation for OVWI in another court, or his driving privileges have been suspended as the result of a conviction for a controlled substance offense, the petition should only be heard in that other circuit or superior court.

All requests for new courts or changes in jurisdiction of existing courts must be presented to the commission not later than July 1 of each year. The commission may not consider requests made after that date unless a majority of the members agree to consider the request. [I.C. 33-23-10-7(1)]

The commission’s final report for 2007 and minutes of its meetings may be found at the commission website: www.in.gov/legislative/interim/committee/crts.html. ■

By James R. Walker



Fountain Circuit Courtroom

County, which will then constitute its own separate circuit. They are also recommending that Jefferson County constitute its own judicial circuit. The Honorable Ted R. Todd would remain as the Jefferson Circuit Court Judge. Their recommendation would also establish a magistrate position for the Dearborn-Ohio Circuit Court. If the legislature accepts and acts on these recommendations, then Dearborn County and Ohio County courts would constitute the only remaining two-county judicial circuit.

Created by the Indiana General Assembly, the Commission on Courts¹ conducts research and holds public hearings on all requests for new courts and changes in jurisdiction of existing courts. The commission then makes its recommendations on the requests to the general assembly.²

In addition to the request from Switzerland County, the commission favorably viewed requests to add a second judge to the Franklin Circuit Court, eliminating a

in Allen and St. Joseph counties³ to enter final orders or judgments in small claims cases and protective order proceedings to prevent domestic or family violence.

Lilia G. Judson, Executive Director of the Division of State Court Administration, responded to legislative concerns regarding the use of Trial Rule 60.5 by trial courts. This rule allows courts to order a municipality, political subdivision of the state or an officer of either to appropriate or pay unappropriated funds for the operation of the courts or court-related functions. She reported to the commission that, in the period from

1 The 13-member commission is composed of the chief justice or his designate, 4 members of the house of representatives, 4 members of the senate, a sitting judge, a county commissioner, a county council member and a circuit court clerk. The president pro tempore of the senate appoints the members from the senate, the sitting judge and the county commissioner, and the speaker of the house appoints the members from that body as well as the county council member and circuit court clerk. I.C. 33-23-10-2.

2 I.C. 33-23-10-7. The commission also is charged with reviewing and reporting on any other matters pertaining to court administration that the commission deems appropriate, including salaries of court officers and personnel.

3 I.C. 33-33-2-14(g) (Allen County); I.C. 33-33-71-69(c) (St. Joseph County).

4 Clark County Council and Clark County Auditor v. Daniel F. Donahue, Cecile A. Blau, Vicki Carmichael, and Steven M. Fleece, www.in.gov/judiciary/opinions/pdf/09260701fsj.pdf; In Re: Order for Mandate of Funds; Montgomery County Council v. Hon. Thomas K. Milligan, Hon. David A. Ault and Hon. Peggy Q. Lohorn, www.in.gov/judiciary/opinions/pdf/09260702fsj.pdf.



This is the first of a regular column by Brenda Rodeheffer addressing employment law issues. If you have a particular concern or question, you are invited to suggest topics for future columns.

WHAT YOUR EMPLOYEES DON'T KNOW CAN HURT YOU

My middle son is beginning his professional career. He posed a question to me the other day, "If it is your company's culture, is it OK to add on more to your expense account than the amount you actually paid?" I was flummoxed that the question even had to be asked. My son is a highly educated young man who is concerned about what is right and cares about people. Yet, he was nearly seduced into believing theft from his employer was acceptable because the grapevine information he was receiving from his fellow employees made it seem just fine.

My son's question caused me to give some thought as to why employees rely more on their peers, than they do on the employer's official policies. He is far from alone. Many times in my private practice I received calls from people who had been fired for violating a company policy. It was common for the employee to complain, "But everyone does it and the company knows it!" It is usually true that everyone does violate the rule; what is not true is that the company knows that everyone is violating the rule. It is certainly not true that the rule does not exist and that the company doesn't care if employees follow the rule or not. But the fired employee truly believes otherwise.

Employers draft, publish and distribute handbooks in order to inform their employees of the policies, guidelines and rules to be followed. Unfortunately, a new employee may be given an employee handbook and rarely look at it again. If there is a conflict between the handbook and what other employees are doing, the employee most likely will assume that the handbook is outdated and is not the real policy of the employer. To avoid the

problem of violations of rules becoming the norm, it is important for the employer to be pro-active in teaching, enforcing and educating employees on the real expectations of the employer.

Even if you are not having known problems with your employees, your employees might still be laboring under false assumptions. In this case, you may benefit from a preventive measure of re-educating employees about your expectations and rules. For the benefit of all the trial courts in their role as employers, I can prepare and present a customized seminar for your employees on the "Fundamentals of Court Employment." The seminar would be conducted on-site in your courthouse or government building and would last approximately two hours. Topics to be covered can include such areas as:

- That employees work at "the will and pleasure" of the Judge
- The importance of avoiding the appearance of impropriety
- The difference between court and private employment
- Basics about what is and what is not legal harassment
- How to handle and report harassment
- Discrimination
- Dealing with difficult people on the job.

In addition, the presentation can be individualized to cover your specific rules and policies. For example, a general section on dress code would be revised and reviewed by you in advance to teach the employees what you consider to be acceptable. The slides' content would be changed to match your rules.

Because the seminar is tailored to your court, you can also use the seminar to address particular concerns you may have about an employee without having to confront the individual employee. I attempt to present the seminar as a positive teaching tool for the employees, rather than a disciplinary measure. Another potential benefit for you is the prevention of discrimination claims. When an employee believes that the rule is not enforced, and then that employee is disciplined for violation of a rule, the offending employee is more likely to believe that the real reason for the discipline is discrimination.

The presentation can be given to all the court's employees at once, or if the staff is large or several courts in one county wish to have the presentation, multiple sessions can be scheduled in one day. The presentation can include all staff, including probation and juvenile detention staff, if applicable. ■

By Brenda Rodeheffer

If you are interested in having this seminar presented to your staff, please contact Brenda Rodeheffer directly at (317) 234-3926 or brodehef@courts.state.in.us.

BRIDGES

BUILDING RELATIONSHIPS INDIVIDUALLY—GIVING EXCELLENT SUPPORT *A Trial Court Outreach Initiative*

BRIDGES (Building Relationships Individually-Giving Excellent Support) is an initiative of the Indiana Supreme Court's Division of State Court Administration that is designed to improve the service the Division provides to trial judges. The Division was created by legislation to assist the Supreme Court in its administration of our judicial system, and to assess the needs and solve the problems of our trial judges. In the past, the Division has been responsive to the needs of the trial courts and has supported and implemented measures to help the judges in the ninety-two counties of the State. BRIDGES is designed to improve upon the support from the Division to our trial courts.

The Division is uniquely positioned to respond to the issues facing the trial courts. BRIDGES is a pro-active approach to forge an enhanced partnership of service with our trial courts. In the coming weeks each attorney in the Division will partner with trial judges throughout the State to boost the current working relationship, and to create a reciprocal relationship as well. The primary goal of BRIDGES is to help the trial judges better perform administrative responsibilities. The Division is committed to their success.

BRIDGES will also increase communication and keep trial judges informed of the breadth of services and resources the

Division provides. It will also repair or rebuild disconnects between the Division and the trial courts due to misinformation or lack of awareness, work proactively to better prepare the court to perform its duties in an improved and efficient manner, and position the Division as a preferred resource for the trial courts and their administration.

Our Division will be rolling out this new program on January 2, 2008. The contacts for this new effort will be staff attorneys Camille Wiggins at cwiggins@courts.state.in.us and Jim Maguire at jmaguire@courts.state.in.us, or either can be reached at 317-232-2542. ■

By David J. Remondini

New Faces

State Court Administration will benefit from new staffers with significant experience in Indiana's trial courts, state agencies and non-profits.

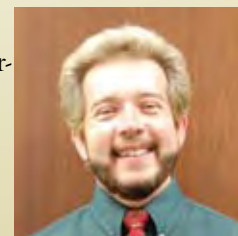
Mary Carey has joined State Court Administration as an Administrative Assistant. She will work with the Trial Court Management staff to help produce

and publish the annual Indiana Judicial Service Report. Mary has a Bachelor's Degree in Business Administration from Dayton University. She worked for many years as the right hand person to the Director of ARNOVA (Association for Research on Nonprofit Organizations and Voluntary Action), a non-profit agency responsible for an annual conference serving many other non-profit agencies.



Jeffrey Wiese is the newest staff attorney for State Court Administration. Jeff earned his Juris

Doctor degree from IU and was awarded the Order of Barrister. He is currently completing work on a L.L.M. degree from Indiana University Law School at Indianapolis. Jeff will be concentrating on work for the Public Defender's Commission, auditing claims and managing the financial aspects of the job.



Judicial Conference Session Demonstrates EASE OF USING LANGUAGE LINE

The Indiana Supreme Court's Language Line Program is as simple to use as taking porridge from a bear's vacant cottage. All a judicial officer needs is a speakerphone, the Supreme Court's approved account number, and a dialing finger.

To showcase the relative ease of using the Supreme Court's Language Line Program, Judge Robert Altice, Marion Superior Court, and Lilia Judson, Executive Director of the Division of State Court Administration, conducted a mock bond hearing at the 37th Annual Judicial Conference in Fort Wayne. "Goldilocks" Judson had been charged with residential entry and criminal mischief for allegedly breaking into the home and destroying the furniture of the three bears.

Speaking only in Bulgarian, "Goldilocks" Judson requested that her bond be reduced. Using the Language Line Program, Judge Altice connected by speakerphone to a language line representative who was available within seconds to deliver quality interpretation. Not only did



the interpreter appropriately interpret legal terminology and common English idioms, but she also effectively conveyed several subtly humorous lines, e.g. Goldilocks was attending beauty school at "The House of Hair" and needed to return home to help her friend, Little Red Riding Hood, who had problems with a hairy guy named "Wolf."

The Supreme Court created the Language Line Program in 2005 as part of its continuing effort to improve access to justice in the courts. Under the Language Line Program, trial court judges are permitted to use the Supreme Court's Language Line account to obtain over-the-phone interpretation for brief hearings.

Language Line Services has interpreters available in more than 140 languages and can be accessed 24 hours a day, 7 days a week, 365 days a year. Interpreters employed by Language Line are required to be familiar with police and 911 procedures and have hundreds of hours experience interpreting.

For more information about the Language Line Program, or to obtain a card with the Supreme Court's account number, judicial officers should contact Adrienne Meiring at (317) 232-2542, or ameiring@courts.state.in.us. ■

By Adrienne L. Meiring

David Griffith

is JTAC's new Staff Attorney and Trial Court Subject Matter Expert. He is currently working on a number of legally-related issues that are unique to JTAC. Before this, he served as a Deputy Prosecuting Attorney in Marion County for approximately 16 years.



Robin Beasley

is a Court Reporter Subject Matter Expert and Field Trainer working on the Odyssey Case Management System. She is assisting the JTAC Monroe County Circuit Court Deployment Team. Robin has more than 20 years of trial court operations and law school experience, most recently in the Allen County Superior Court.



Aaron

Diefenderfer

is a JTAC Configuration Analyst. He is assigned to the Odyssey Case Management System project. Before coming to JTAC, he worked for the Indiana Bureau of Motor Vehicles for 10 years, and during the last 3 years served as a Systems Administrator in their Information Technology department.



SUPREME COURT LAUNCHES ELECTRONIC CITATION AND WARNING SYSTEM (ECWS)

Since July 1 of this year, five Indiana law enforcement officers have piloted a new electronic citation and warning system for traffic violations. This represented the first step of an exciting project spearheaded by the Indiana Supreme Court and its Judicial Technology and Automation Committee, through the Division of State Court Administration. The project is a piece of the Court's integrated technology strategy for Indiana's courts and will serve as the front end of an electronic "start for finish" traffic ticket process. Funding for the project came from the U.S. Department of Transportation - Federal Motor Carrier Safety Administration.

In 2007, the legislature tasked the Supreme Court Division of State Court Administration with the responsibility of designing a uniform electronic traffic citation for use in Indiana. This enabled the Supreme Court to develop a seamless e-citation process allowing tickets to be issued, filed in a court, disposed and transmitted to the Bureau of Motor Vehicles entirely electronically.

State and local police officers using eCWS have already issued more than 1,000 citations and warnings, and provided valuable feedback and suggestions to JTAC. Statewide training for Indiana State Police (ISP) officers is now underway. Training for Indiana State Police officers and those in the Commercial Ve-

hicle Enforcement Division - more than 1,000 officers - will be completed by the end of this year and the system will be in use statewide.

At a press event on August 31 announcing the eCWS pilot, ISP Superintendent

deployed by the Supreme Court. This means that the ticket produced on the roadside will be transmitted to Odyssey where the information on the driver and the infraction will become a court record and assigned a case number.

The ability to have these seamless interfaces and reduce duplicate data entry and the chance for data errors is what makes this technology so exciting. Courts will receive the information they need in a fraction of the time with enhanced accuracy. The timesaving eCWS provides is noteworthy when you consider more than 700,000 traffic citations are filed in Indiana every year. And, best of all: the eCWS application is

available at no cost.

Many partners helped create eCWS with their invaluable input, cooperation and funding, including:

- Ind. Bureau of Motor Vehicles
- Ind. Criminal Justice Institute
- Ind. State Police
- U.S. Dept. of Transportation - Federal Motor Carrier Safety Admin.
- National Highway Safety Admin.
- Ind. Dept. of Homeland Security
- Ind. Association of Chiefs of Police
- Indiana Sheriffs' Association
- Ind. Dept. of Natural Resources
- Indiana State Excise Police

BITS & BYTES
NEWS FROM THE
JUDICIAL TECHNOLOGY
AND AUTOMATION COMMITTEE

Paul Whitesell noted that officers using JTAC's electronic ticketing system have increased safety and efficiency because the time spent on a roadside traffic stop is cut almost in half. While the elimination of old fashioned paper ticket books will save law enforcement officers time as well as money, the eCWS project will bear even more significant benefit for courts and clerks when it is completed in 2008.

All of the tickets being created through eCWS will be transmitted to a central repository, creating a database where all the documents are easily searchable and readily available. And, looking a few steps ahead, the tickets being created electronically will eventually be sent to the new Odyssey Case Management System being





HOW ECWS WORKS

OFFICER USES HAND-HELD SCANNER TO READ BAR CODE ON LICENSE AND REGISTRATION.

INFORMATION (NAME, ADDRESS, CAR MODEL, ETC.) IS INSTANTLY ADDED TO THE TICKET.

THE FRONT OF THE DRIVERS' LICENSE IS SCANNED SO A PICTURE OF THE LICENSE, INCLUDING THE PHOTO, IS ADDED TO THE DATABASE TO ENSURE THERE IS NO MISTAKEN IDENTITY.

CITATION IS GENERATED WITH ALL OFFENSES (UP TO FOUR ON ONE TICKET) AND COURT INFORMATION.

OFFICER PRINTS PAPER TICKET FOR OFFENDER AND COURT UNLESS TICKETS CAN BE FILED ELECTRONICALLY.

AT THE END OF A SHIFT OR OTHER APPROPRIATE TIME, OFFICER TRANSMITS OFFENSES TO CENTRAL REPOSITORY.

TICKET DATA IS SENT TO LOCAL COURT WHERE A CASE IS GENERATED

IN COUNTIES USING THE STATE ODYSSEY CASE MANAGEMENT SYSTEM (CMS), THE CASE INFORMATION WILL BE AUTOMATICALLY ENTERED IN THE CMS.

ALTHOUGH DEVELOPED AND FACILITATED BY THE SUPREME COURT THE TRAFFIC CITATION INFORMATION RETAINS ITS STATUS AS LAW ENFORCEMENT INFORMATION UNTIL IT IS TRANSMITTED TO AND FILED WITH A COURT. ■

By Cindy Collier
and Lilia Judson

INDIANA COURTS ONLINE REPORTS (ICOR) Training for Statistical Report Preparation

The Division of State Court Administration will conduct a series of training sessions in November and December on preparation of statistical reports through Incite, the Indiana juridical portal. The sessions will be held at the Indiana Government Conference Center in downtown Indianapolis. Most of the sessions will focus on preparation of the annual report forms, the Report on Revenues, Report on Expenditures and the Probation Annual Operations Report. A few of the sessions will also offer refresher training for the Probation Quarterly Reports and the courts' Quarterly Case Status Reports.

Registration is available through the Internet, at:

www.in.gov/judiciary/icor.html.

Questions regarding registration should be directed to Mary Carey, Administrative Assistant, Division of State Court Administration at mcarey@courts.state.in.us or 317-232-2542.



FALL 2007 TRAINING SCHEDULE

All AM sessions: 9:00am to 12:00pm

All PM sessions: 1:30pm to 4:30pm

Court Financial Reports Training

Tuesday	November 27	AM & PM
Wednesday	November 28	PM
Thursday	November 29	AM
Monday	December 10	AM & PM
Tuesday	December 11	AM
Thursday	December 13	AM
Friday	December 14	AM

Probation Financial Reports Training

Thursday	November 29	PM
Thursday	December 13	PM

QCSR Refresher Training

Wednesday	November 28	AM
Tuesday	December 11	PM
Friday	December 14	PM

IN THE NEXT ISSUE: First Odyssey County Goes Live

After months of field testing in Indiana courts, the Odyssey Case Management System is scheduled to go live in Monroe County Courts on December 17.

Work in Monroe County includes regular roundtable discussion with stakeholders, meetings with the Board of Judges and staff training sessions by a JTAC Deployment Team.

JTAC staff also worked with Monroe County officials and the makers of Odyssey, Tyler Technologies, to convert Monroe County data to Odyssey.

Look for the story in the January 2008 Issue!

Input Sought on Indiana's Court Structure:

The Special Courts Committee has been tasked with studying Indiana's court structure and trying to develop ways to make the system less cumbersome and more efficient. We



have presented our preliminary findings at the spring district meetings and are continuing to seek your input on this project.

The evolution of Indiana's court system is very intriguing. A timeline of significant changes is provided below to help demonstrate how frequently our system has been altered, one piece at a time. This piecemeal approach has created one of the most complex and fragmented systems in the United States.

Over the years, there have been a number of proposals to unify Indiana trial courts. In 1978 and 1986, the Indiana Judges As-

sociation recommended a unified court system along with state funding. Senate Bill 12 (recommended by the Commission on Courts in 1989) and House Bill 1103 (introduced in 2002) also called for unification and state funding.

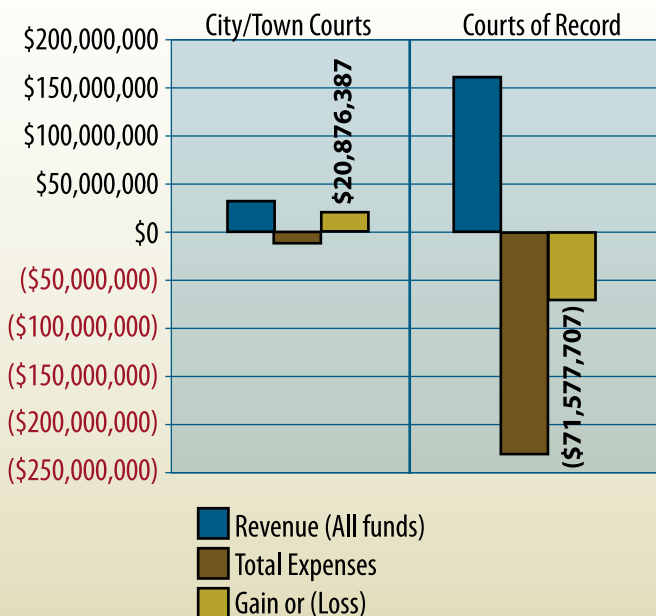
The concepts of unification and state funding of the judicial system are even more relevant today. As referenced in Chief Justice Shepard's Brennan Lecture at New York University School of Law in February 2006, the trend among state judicial systems is toward unification and state funding. In addition, at the Conference of Chief Justices and State Court Administrators in July 2006, Gov. Daniels noted his support for a unified court system and its resulting efficiencies. Today, the discussion about restructuring and streamlining Indiana's court system continues.

The Committee believes that judicial development of the court structure pursuant to an overall strategic plan is important as opposed to a piecemeal ap-

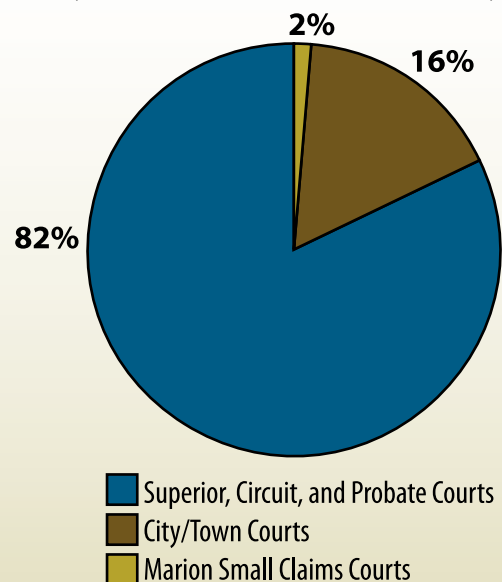
proach. In developing this strategic plan, the judiciary can decide its own future rather than having a plan imposed on us. The Committee agrees that such efforts need to be based upon a consensus of the judiciary to develop a viable proposal. The goal of this project is to develop a structure that will allow autonomy by maintaining decision making within a district. As a result of several meetings, the Special Courts Committee is seeking input on the following concepts:

- All judges in Indiana being required to be law-trained,
- Unification of the trial courts,
- Establishment of districts,
- Merger of limited jurisdiction courts into the trial court system, and
- Judicial development of court structure pursuant to an overall strategic plan rather than piecemeal approach subject to legislative approval.

2005 Revenues and Expenses
(City and Town Courts vs. Courts of Record)



2005 Total Revenues Generated
(Less Revenue to Constables)



Note: Revenue to Constables for personal service and certified mail in Marion County Small Claims Courts was \$2,177,201

An Open Letter from Judge Lohorn

The Committee, during its study, has been reviewing information on the potential fiscal and caseload impact of restructuring. This information is compiled based on data contained in the 2005 Judicial Services Report. The first chart compares the overall revenues and expenses of the city and town courts with the courts of record. The second chart illustrates the percentage of overall revenue contributed by the various courts. The final chart looks at revenues and expenses associated with each minute of judicial time. Generally, this information provides a good starting point for examining these issues, keeping in mind that the specific impact will vary among different jurisdictions.

At this point in the discussions, the Committee has identified a number of benefits to unifying the trial court system. These benefits include:

- Improves the public perception of the system and would be easier for citizens to use and understand,

- More efficient and economic use of judicial resources,
- Promotes local cooperation,
- Allow for the combining of resources to achieve economies of scale (jail overcrowding, juvenile placements), and
- Eliminate gaps in jurisdiction and afford citizens more certainty in the process.

The overriding question has been - how does this affect me? The Committee believes that any proposal should continue to give local courts autonomy in designing the local organization to meet local needs (i.e. case allocation), and oversight of administrative issues, such as court employee matters. For some courts there would not be any changes (i.e. single court counties; existing unified court systems), while others would be undertaking more complex restructuring efforts (i.e. counties with multiple trial courts and municipal courts).

In developing our own structure, judges have the unique opportunity to design a system that will meet our collective goals and better serve our citizens. Your input, suggestions, and concerns are needed to help create a viable proposal. Please provide your feedback to:

Special Courts Committee

C/O Indiana Judicial Center

115 W. Washington Street, Suite 1075

Indianapolis, IN 46204

Fax: (317) 233-3367

Email: judicialcenter@courts.state.in.us.

Thank you in advance for your time and feedback on this project. ■

Sincerely,

Hon. Peggy Quint Lohorn

Chair, Special Courts Committee

Revenues / Expenditures Per Minute of Judicial Time

	City/Town Courts	Courts of Record (Circuit, Superior, County & Probate)	Combined
Number of Cases:	319,140	1,288,154	1,607,294
Minutes of Judicial Time:	3,596,439	41,627,595	45,224,034
Revenue (Total Generated All Funds):	\$31,500,058	\$158,273,838	\$189,773,896
Revenue (Total Generated All Funds) per Minute of Judicial Time:	\$8.76	\$3.60	\$4.20
Expenses:			
Paid by State			
Trial Judge Salaries		\$39,728,835	\$39,728,835
Trial Court Operations		\$353,152	\$353,152
Public Defender		\$5,511,105	\$5,511,105
Paid by County*		\$184,258,453	\$184,258,453
Paid by City or Town**	\$10,623,671		
Total Expenses	\$10,623,671	\$229,851,545	\$229,851,545
Expense per Minute of Judicial Time	\$2.95	\$5.52	\$4.07
Gain or (Loss) (Revenue - Expense):	\$20,876,387	(\$71,577,707)	(\$40,077,649)
Gain or (Loss) / Minute of Judicial Time:	\$5.80	(\$1.72)	(\$.89)

Revenues taken from 2005 Annual Report Vol. 1 p. 158
Expenditures taken from 2005 Annual Report Vol. 1 p. 157

* Includes County Paid Judge(s) Salaries of \$1,530,949
** Includes Locally Paid Judge(s) Salaries of \$1,753,476
Marion County Small Claims Courts not included in analysis



**SAVE A TREE
STAY INFORMED**

If you would like to help save a tree and still stay informed, you may receive the *Indiana Court Times* via email, or you can access our website: www.IN.gov/judiciary/admin (click on "Publications").

To have your name removed from our hardcopy mailing list, contact Deborah Guthrie-Jones at dguthrie@courts.state.in.us.

Family Court Project Holds Annual Meeting

The Indiana Family Court Project held its annual meeting on Friday, October 26, 2007, at the Barnes & Thornburg Auditorium in Indianapolis. Representatives from twenty-three current family court counties and two counties with final approval pending attended the meeting. The Indiana Supreme Court initiated the Indiana Family Court Project in 2000 to develop common sense models to better serve children and families in Indiana's courts.

Attendees spent the day discussing issues facing family court judges and administrators, including administration of alternative dispute resolution programs, program evaluation, identifying and working with domestic violence, and grant writing.

Amy Huffman Oliver, Director of Legal Services for Turning Point domestic

violence shelter in Columbus, Indiana, presented a session regarding identifying and working with domestic violence issues. She stressed the importance of screening for domestic violence in family court and alternative dispute resolution programs, and discussed special considerations to keep in mind when domestic violence has been identified.

Further information about the Indiana Family Court Project and the special family court rules for the project counties is available at www.in.gov/judiciary/family-court/.

If you are interested in starting a family court project in your county, please contact Family Court Project Manager Loretta Oleksy at 317.233.0784 or loleksy@courts.state.in.us. ■

By Loretta A. Oleksy



Issue 16.4 November 2007

INDIANA courttimes

CONTENTS

Change of Venue: Court Offices Move to New Location.....2

Commission on Courts to Indiana General Assembly:
Time to Change Judicial Circuits and Add some Judges
and Magistrates4

What Your Employees Don't Know Can Hurt You5

BRIDGES: Building Relationships InDividually Giving
Excellent Support, A Trial Court Initiative6

New Faces6

Judicial Conference Session Demonstrates Ease of
Using Language Line7

Supreme Court launches electronic Citation and
Warning System (eCWS)8

Indiana Courts Online Reports (ICOR) Training for
Statistical Report Preparation9

Input Sought on Indiana's Court Structure:
An Open Letter from Judge Lohorn 10

Family Court Project Holds Annual Meeting 12

PLEASE CIRCULATE TO CO-WORKERS

This newsletter reports on important administrative matters. Please keep for future reference. Issues are also available online at:

www.in.gov/judiciary/admin/court-times